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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 5 of Security Council resolution 1093 (1997) of 14 January 1997, in which the Council requested me to submit by 5 July 1997 a report on the situation in the Prevlaka peninsula as well as on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences.

2. The United Nations Mission of Observers in Prevlaka (UNMOP) consists of 28 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Harold Mwakio Tangai (Kenya). The current mandate of the mission expires on 15 July 1997.

3. In accordance with resolution 1093 (1997), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by carrying out vehicle and foot patrols on both sides of the border, except when prevented from doing so by restrictions of movement imposed by one party or the other. As part of its work, the mission holds regular meetings with local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. In that context, the Chief Military Observer maintained contacts with the authorities in Zagreb, Belgrade and Podgorica in order to address issues arising from resolution 1093 (1997). Cooperation between UNMOP and the multinational stabilization force is maintained through regular meetings.

II. SITUATION IN THE AREA OF RESPONSIBILITY OF THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

4. The situation in the UNMOP area of responsibility has remained stable, notwithstanding the concerns resulting from the developments which I described in my report of 14 April 1997 (see S/1997/311, para 3). Since the submission of

that report, further concern arose when, on 12 May 1997, 56 boxes of mortar ammunition were seen inside the demilitarized zone at a Croatian position where compatible mortars had been observed in February 1997.

5. In May 1997, the Yugoslav authorities confirmed for the first time that three positions that UNMOP had observed in the northern portion of the demilitarized zone were manned by troops of the Yugoslav Army. In the same month, Croatian authorities and media alleged that those Yugoslav positions were located on the Croatian side of the border. Owing to the long-standing restriction imposed by the Yugoslav authorities on the movements of United Nations military observers in that area, UNMOP has been unable to ascertain the strength and armament of the Yugoslav Army troops at these positions.

6. The waters of the United Nations-controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats, as well as, occasionally, by Croatian police boats and Yugoslav navy ships. The Croatian authorities continue to grant civilians access to the United Nations-controlled zone, close to the Prevlaka compound. These violations increase the possibility that incidents might occur between the parties.

III. PROGRESS TOWARDS ADOPTION OF THE PRACTICAL OPTIONS

7. In my report of 14 April 1997, I stated that the parties had made no progress towards adopting the practical options that are part of the procedures proposed by UNMOP in May 1996 to reduce tension and improve safety and security in the area (see S/1997/311, para. 4). Subsequently, on 25 April 1997, the Security Council, in a presidential statement (S/PRST/1997/23), reiterated its call upon both parties to adopt the practical options with a view to their early implementation, to remove landmines from areas patrolled by the United Nations military observers and to stop their interference with the freedom of movement of the observers and with the implementation of their mandate. During discussions with the parties in the region on 8 May 1997, the Under-Secretary-General for Peacekeeping Operations, Mr. Bernard Miyet, conveyed to them the urgency of the need to address these concerns by adopting the practical options.

8. Notwithstanding these encouragements, the parties have failed to make any progress in adopting the practical options. The long-standing violations of the demilitarization regime described in my report of 31 December 1996 (see S/1996/1075, paras. 6 and 7) persist. In particular, the minefields in the demilitarized zone remain in place, including those laid beside routes patrolled by the United Nations military observers. The five permanent Croatian positions and the two permanent Yugoslav positions that violate the United Nations-controlled zone are also still in place.

9. As regards the freedom of movement of United Nations military observers throughout the UNMOP area of responsibility, the situation worsened in early June 1997 when access was denied by Croatia to positions in the north-western part of the demilitarized zone where joint patrols of United Nations military observers and Croatian officials had been permitted in the past. The authorities of the Federal Republic of Yugoslavia, on the other hand, lifted in

May 1997 one of the long-standing minor restrictions on the movement of United Nations military observers within the demilitarized zone.

10. Members of the Security Council will recall that, in my report of 14 April 1997, I referred to the concern expressed by authorities of the Federal Republic of Yugoslavia, in particular by President Momir Bulatović of Montenegro, that UNMOP had attempted to reduce the dimensions of the so-called "Blue Zone" (see S/1997/311, para. 7). In response, the Chief Military Observer prepared a comprehensive reply, which was delivered to Podgorica in May 1997, together with documentation to support the position of the United Nations that no revision of the dimensions of the United Nations designated zones had been implied in the proposed procedures for improvement of safety and security in the area.

IV. PROGRESS TOWARDS A SETTLEMENT

11. Since my previous report, the parties have continued to indicate in their contacts with United Nations officials that their bilateral negotiations pursuant to the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia, signed at Belgrade on 23 August 1996 (see S/1996/706, annex) have not addressed the Prevlaka dispute directly and that there has been no progress towards a settlement. Public statements by senior government officials in Croatia and the Federal Republic of Yugoslavia have confirmed those indications.

12. The unresolved dispute over Prevlaka has obstructed progress towards opening the international border crossing at Debeli Brijeg, which lies within the demilitarized zone. At meetings in April and June 1997, Croatian and Yugoslav representatives were unable to reach agreement on the status of the crossing.

V. OBSERVATIONS

13. The letters addressed by the Federal Republic of Yugoslavia (S/1997/394, annex) and Croatia (S/1997/412) to the President of the Security Council on 21 and 29 May 1997 respectively, show that the parties still retain the differing interpretations of the Prevlaka dispute, which were outlined in my report of 31 December 1996 (see S/1996/1075, para. 10). In sum, Croatia regards the dispute as a security issue to be settled by an arrangement that would provide security for each State within existing borders. In the view of the Federal Republic of Yugoslavia, the dispute centres upon territorial possession of the Prevlaka peninsula. Both parties, in their letters, confirm their positive assessment of the role of UNMOP in lessening tension and maintaining stability in the region.

14. Despite the divergent interpretations of the dispute by the parties and despite their continuing violations of some aspects of the demilitarization regime in the UNMOP area of responsibility, I remain convinced that the Governments of Croatia and the Federal Republic of Yugoslavia can fulfil their commitment under the Agreement on Normalization of Relations to resolve peacefully the issue of Prevlaka.

15. In the circumstances, I believe that the presence of UNMOP continues to be essential to maintain conditions that are conducive to a negotiated settlement of the dispute. I therefore recommend a further six-month extension of the mandate of UNMOP until 15 January 1998.

Annex

Composition and strength of the military element of the United Nations Mission of Observers in Prevlaka as at 30 June 1997

Nationality	Military observers
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Egypt	1
Finland	1
Ghana	2
Indonesia	2
Ireland	1
Jordan	1
Kenya	2
Nepal	1
New Zealand	1
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	28